IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

OP.No. 26774 of 2000(K)

PETITIONER:

P.M.JOHN,
S/O.P.P.MATHEW,
AGED 35 YEARS, RESIDING AT
HOUSE NO.15, JUDGE'S AVENUE,
KALOOR, KOCHI – 16. (D I E D).

***ADDL.P2 TO P5 ARE IMPLEADED:**

P2. MRS. CELINE JOHN,AGED 67 YEARS,
W/O.LATE P.M.JOHN,
RESIDING AT PLOT NO.15, JUDGES AVENUE,
KALOOR, KOCHI – 17.

P3. SEN PATTASSERY,
AGED 43 YEARS,
S/O.LATE P.M.JOHN,
RESIDING AT PLOT NO.15, JUDGES AVENUE,
KALOOR, KOCHI – 17.

P4. SHEFFY PATTASSERY,
AGED 37 YEARS,
S/O.LATE P.M.JOHN,
RESIDING AT PLOT NO.15, JUDGES AVENUE,
KALOOR, KOCHI – 17.

P5. MRS. MEENA JOSEPH,
AGED 40 YEARS,
W/O.DR. JOSEPH ISSAC,
PANAMPILLYNAGAR, KOCHI.

(*ADDL.P2 TO P5 ARE IMPLEADED AS PER ORDER DTD.8/03/07
IN I.A.NO.2824/07)

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:
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1. **THE GREATER COCHIN DEVELOPMENT AUTHORITY, KADAVANTHARA, KOCHI – 682 020, REPRESENTED BY ITS SECRETARY.**

2. **THE SPECIAL TAHSILDAR, REVENUE RECOVERY, KANAYANNUR TALUK, ERNAKULAM.**

BY ADV. SRI.P.R.RAMACHANDRA MENON, SC,GCDA for R1

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

ORDER ON C.M.P.NO.44874/2000 IN O.P.NO.26774/2000 K

DISMISSED

22/11/2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE SALE DEED NO.1143/81 DTD. 10/03/81.**

EXT.P2: **COPY OF THE NOTICE DTD. 25/02/93.**

EXT.P3: **COPY OF THE INTERIM ORDER DTD. 4/06/93.**

EXT.P4: **COPY OF THE JUDGMENT DTD. 14/07/98.**

EXT.P5: **COPY OF THE NOTICE DTD. 9/11/98.**

EXT.P6: **COPY OF THE NOTICE DTD. 10/04/2000.**

EXT.P7: **COPY OF THE OBJECTION DTD. 26/04/2000.**

EXT.P8: **COPY OF NOTICE DTD. 9/08/2000.**

/TRUE COPY/

P.S.TO JUDGE

KSS

KURIAN JOSEPH, J.

O.P. No.26774 of 2000

Dated this the 22nd day of November, 2007

JUDGMENT

The issue raised in this writ petition pertains to the claim made by the first respondent for enhanced land value and costs. It is stated in Ext.P8 notice that the petitioner did not file any written objection on Ext.P6 notice. But it is seen that the petitioner has submitted Ext.P7. Though the learned counsel appearing for the GCDA submits that the entire grievances of the petitioner have been considered, the additional petitioners pray that they may be given an opportunity to verify the records as prayed for in Ext.P7. There will be a direction to the first respondent to look into Ext.P7 with notice to the additional petitioners, permit the additional petitioners to verify the records and pass an order referring to the contentions taken by the additional petitioners. This shall be done within a period of four months from the date of receipt of a copy of the judgment. The interim order passed by this court in C.M.P.No.44874/2000 will continue till such time.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.No.26774 of 2000

JUDGMENT

22nd November, 2007